

Message Text

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43

ACTION EB-07

INFO OCT-01 EUR-12 IO-11 ISO-00 AGR-05 CEA-01 CIAE-00

COME-00 DODE-00 FRB-03 H-02 INR-07 INT-05 L-03 LAB-04

NSAE-00 NSC-05 PA-01 AID-05 CIEP-01 SS-15 STR-04

ITC-01 TRSE-00 USIA-06 PRS-01 SP-02 FEAE-00 OMB-01

XMB-02 OPIC-03 /108 W

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P R 271635Z FEB 76

FM USMISSION GENEVA

TO SECSTATE WASHDC PRIORITY 8409

INFO AMEMBASSY BRUSSELS

AMEMBASSY THE HAGUE

AMEMBASSY OTTAWA

AMEMBASSY PARIS

USMISSION EC BRUSSELS UNN

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EO 11652: N/A

TAGS: GATT, ETRD

SUBJECT: GATT PANELS ON DISC AND RELATED TAX PRACTICES

REF: GENEVA 1260

1. CANADA MISSION (STONE), UPON INSTRUCTIONS FROM OTTAWA,
ASKED US WHETHER WE WOULD BE AMENABLE TO PROCEDURE IN SUBJECT
PANELS WHEREBY CANADA COULD HEAR THE EVIDENCE PRESENTED BY
THE OTHER DISPUTANTS BEFORE PRESENTING CANADIAN CASE. WE
SAID WE HAD NO IDEA WHAT WASHINGTON'S VIEW WOULD BE AND
WOULD SEEK SAME. HOWEVER, WE SAID WE SUSPECTED THE PANEL
MEMBERS MIGHT WISH DECIDE UPON SUCH THINGS THEMSELVES.

2. WE TOOK OPPORTUNITY TO SUGGEST THAT PRESUMABLY CANADA
WOULD WANT TO PRESENT CASE ON ALL OF THE TAX PRACTICES CONSIDERED
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BY THE PANELS AND NOT JUST LIMIT SELVES TO DISC

(SEE ALSO REFTEL). STONE SAID HE SUPPOSED SO. WE DREW PARALLEL WITH CONDUCT OF US DISCUSSION OF UK EXPORT INFLATION INSURANCE SCHEME IN GATT COUNCIL, WHEREBY US MADE EFFORT NOT SINGLE OUT UK SCHEME WHICH WAS ADOPTED IN SELF-DEFENSE BY UK AFTER FRENCH AND OTHER EXPORT COMPETITORS HAD HAD OWN SCHEMES IN EFFECT FOR YEARS. WE SAID DISC SITUATION WAS NOT DISSIMILAR, DISC LEGISLATION WAS INTENDED TO PLACE US EXPORTING FIRMS ON MORE EQUAL FOOTING WITH FRENCH, DUTCH, BELGIAN, OTHER COUNTRIES' FIRMS ALREADY HAVING TAX ARRANGEMENTS OF SIMILAR IMPACT. STONE PROMISED PASS SUGGESTION TO OTTAWA.

3. IF WASHINGTON BELIEVES THIS IS A PROFITABLE AVENUE TO PURSUE, IT MIGHT BE USEFUL TO GET INTO CANADIAN HANDS SOME ADVANCE MATERIAL ON OUR OWN CASES AGAINST THE TAX PRACTICES OF FRANCE, BELGIUM, NETERLANDS. WE AWARE THAT SEVERAL YEARS AGO CANADIAN MOOD WOULD NOT HAVE LED THEM TO DO ANYTHING SO COOPERATIVE. ASSUME ADVISABILITY OF FURTHER ENCOURAGING THEM NOW WILL BE GOVERNED BY WASHINGTON'S AND EMBASSY OTTAWA'S ASSESSMENT OF HOW PASSIONATELY THE FIRES OF DISC STILL BURN IN CANADIAN HEARTS. DALE

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Message Attributes

Automatic Decaptoning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: IMPORTS, EXPORTS, COMMITTEES, TAXES, TAX RELIEF
Control Number: n/a
Copy: SINGLE
Draft Date: 27 FEB 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: morefirh
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976GENEVA01456
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D760074-0874
From: GENEVA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t1976026/aaaaaeof.tel
Line Count: 83
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EB
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 76 GENEVA 1260
Review Action: RELEASED, APPROVED
Review Authority: morefirh
Review Comment: n/a
Review Content Flags:
Review Date: 31 MAR 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <31 MAR 2004 by ElyME>; APPROVED <07 JUL 2004 by morefirh>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: GATT PANELS ON DISC AND RELATED TAX PRACTICES
TAGS: ETRD, US, GATT, DISC
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006